

State of Maine Waiver of Competitive Bidding Request Form

Form Instructions: Please provide the requested information in the white boxes below. This form is to precede all contract requests that are not the direct result of a competitive bid process.

Requesting Department's Contract Administrator:	Gail Senese	Office/Division/Program of Contract Administrator:	Adult Education
Est. Contract Amount:	\$ 9,000.00	Contract or RQS Number:	CT20190531*3622
Proposed Start Date:	6/3/2019	Proposed End Date:	6/30/2020
Vendor/Provider Name, City, State:	AOS #96 – Machias, 291 Court Street, Machias, ME04654		
Short Description of Good or Service:	Washington County Adult Education will provide high school equivalency preparation, HiSET testing, and college transition services to support adult learners and their entry into the workforce and/or accessing additional academic and workforce credentials.		
<p>Please note, for transparency purposes, Waivers of Competitive Bidding will be publicly posted. Public postings are placed on the Division of Procurement Services website for a period of seven consecutive calendar days.</p>		<p>To be completed by the Division of Procurement Services Posting dates on Division of Procurement Services website: From: <u>06/15/2019</u> To: <u>06/21/2019</u></p>	
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0620190993		
<p>1. Statutory Justification State of Maine statute (5 M.R.S. §1825-B(2)) allows waivers of competitive bidding only for the specific reasons listed below. Please mark the appropriate box (X) next to the justification which applies to this specific request.</p>			
<p>A. The procurement of goods or services by the State for county commissioners pursuant to Title 30-A, section 124, involves the expenditure of \$2,500 or less, and the interests of the State would best be served;</p>			
<p>B. The Director of the Bureau of General Services is authorized by the Governor, or the Governor's designee, to make purchases without competitive bidding because, in the opinion of the Governor or the Governor's designee, an emergency exists that requires the immediate procurement of goods or services;</p>			
<p><i>If citing the above justification for this Waiver of Competitive Bidding request, please have the requesting Department's Commissioner or Chief Executive (as the Governor's "designee") sign and date on the right.</i></p>		<p><i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i></p> <p>Signature:</p>	
		Printed Name:	Date:

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	C. After reasonable investigation by the Director of the Bureau of General Services, it appears that any required unit or item of supply, or brand of that unit or item, is procurable by the State from only one source;
	D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;
	E. The purchase is part of a cooperative project between the State and the University of Maine System, the Maine Community College System, the Maine Maritime Academy, or a private, nonprofit, regionally accredited institution of higher education with a main campus in this State involving: (1) An activity assisting a state agency and enhancing the ability of the university system, community college system, Maine Maritime Academy, or a private, nonprofit, regionally accredited institution of higher education with a main campus in this State to fulfill its mission of teaching, research, and public service; (2) A sharing of project responsibilities and, when appropriate, costs;
	<i>If citing the above justification for this sole source request, please note that the specific approval of the Governor's Office is required, in accordance with Executive Order 26 FY 11/12, "An Order to Enhance Competitive Bidding". The approval must be documented on DAFS/BGS/Division of Procurement Services "GOVCOOP" form, found here: http://www.maine.gov/purchases/info/forms/govcoop.doc.</i>
	F. The procurement of goods or services involves expenditures of \$10,000 or less, in which case the Director of the Bureau of General Services may accept oral proposals or bids;
x	G. The procurement of goods or services involves expenditures of \$10,000 or less, and procurement from a single source is the most economical, effective and appropriate means of fulfilling a demonstrated need.
	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:

Please note that the following four points below (#2 through 5) all require a response.

2. Description of Specific Need

Please identify, and fully describe, the specific problem, requirement, or need the resulting non-competitive contract would address and which makes the goods or services necessary. Explain how the requesting Department determined that the goods or services are critical and/or essential to agency responsibilities or operations.

Employers in the Calais area are in need of qualified employees. The purpose of this service is to increase the number of Calais area adults with a HiSET (high school equivalency credential), academic and career advising and transition services in preparation for their entry into the workforce and/or accessing additional academic and workforce credentials at Washington County Community College.

In collaboration with Washington County Community College (WCCC), Washington County Adult Education (WCAE) will deliver adult education classes and services on campus. WCCC will provide a learning space and access to some of the services of the college. WCAE will also partner with the Calais Career Center and engage with area businesses. Services and programming will be advertising via Facebook, websites for WCAE and WCCC, by partners agencies and area newspapers. In Washington County, the average number of dropouts is 89. Adding to the needs for services is the growing numbers of immigrants, who, with services, will be able to contribute to the workforce and local economy.

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3. Availability of other Public Resources

Please explain how the requesting Department concluded that sufficient staffing, resources, or expertise is not available within the State of Maine's government, or other governmental entities (local, other state, or federal agencies) external to the requesting Department, which would be able to address the identified need more efficiently and effectively than the identified vendor.

Maine adult education is the primary resource in the state to deliver these services. There is only one adult education provider with any proximity to Calais that has the experience to deliver the needed services. Washington County Adult Education also has the necessary relationships with the community college, career center and business community.

4. Cost

Since a waiver of competitive bidding is being requested for this procurement, please explain how the requesting Department concluded the negotiated costs, fees, or rates are **fair and reasonable**.

All costs for this agreement were reviewed and are aligned with expenditures for adult education services in that region and in other parts of the state. Partnerships with the career center and WCCC also enabled WCAE to receive in-kind contributions.

5. Future Competition

Please describe potential opportunities which may be available to foster competition for these goods or services in the future.

Due to the unique geographic challenges with providing services to this area, there is uncertainty about the potential for future competition. However, there is the potential for the increase of shared responsibility amongst the partners.

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Please note that only one of the two points below ("Uniqueness" or "Timeframe") requires a response. Requesting Departments are not required to respond to both points.

6. Uniqueness

Please explain if the goods or services required are unique to a specific vendor. Describe the unique qualifications, abilities, and/or expertise of the vendor and how those particular unique factors address the specific need identified above. If the vendor has unique equipment, facilities, or proprietary data, also explain the necessity of these particular unique assets.

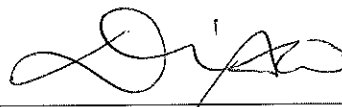
Washington County Adult Education has a documented history of providing effective, outcome based instructional and job training services for adults in need of basic skills development. The organization has working relationships with a wide variety of social service agencies, employers and the community college. The organization knows both the needs of adult learners, but also the local environment and culture of the area. This breadth of understanding is invaluable in working with adult learners.

7. Timeframe (Complete only if B. is the Statutory Justification marked on Page 1)

Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e. impact if delayed beyond this date). Also, provide information as to how it was determined this vendor is the best option to address this time-sensitive procurement.

Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office):

By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.



Printed Name:

Daniel A Cluheta

Date:

14 June 2019